

# RUSSELL DENTIST RELEASED ON BOND

Indicted by Grand Jury for Fraud in Obtaining License.

## DETECTIVE GOES FOR DR. GREAR

Kentuckian Also Indicted, Charge Being That He Deceived Board by Standing Examination for Man Who Could Not Pass—"Ringer" Got \$500.

After he had gained sufficient information to warrant action by the police and the Commonwealth's Attorney, Dr. H. W. Campbell, president of the State Board of Dental Examiners, caused the arrest of Dr. James Pat Speer, a practicing dentist of Lebanon, Russell county, on a charge of having obtained a dental license by fraudulent means, and at 2 o'clock yesterday afternoon Detective Sergeant Willey left the city for Olive Hill, Ky., to arrest and bring back Dr. H. Grear, who is alleged to have taken the examination here for Speer and to have turned over the license to him.

Both Under Indictment. Both men are under indictment here, the matter having been secretly presented to the grand jury on December 5. On the orders of Judge Witt, of the Hustings Court, the matter was kept secret until the grand jury met. Judge Witt, feeling that premature publication might defeat the ends of justice. The case was known to the papers before it had culminated in the arrest of either man, and on Wednesday night full information of the affair came to the Times-Dispatch, which, however, asked, at the request of Judge Witt to keep the matter quiet until the officers had procured extradition papers for Grear and an officer had been sent for him.

The examination for applicants to practice dentistry in Virginia was held in Richmond in June, 1929. Grear is alleged to have represented himself to be Speer, and to have signed the latter's name to the qualifying papers he handed in to the board. He made an examination that was creditable in the extreme, and he was given a license. The papers were mailed to Speer, who is charged, and he proceeded to practice his profession in his home town, Lebanon, where he soon built up a business which afforded him a good living.

Located After Hard Work. He was located at this address on Tuesday, and on Wednesday Sergeant Willey, armed with the necessary warrant, was sent to arrest him. He was located at the address, and the latter appeared to be much surprised and demanded to know upon what warrant he was arrested. The detective informed him, and then Speer asked to be allowed to have a few words with his wife. Mrs. Speer broke down completely, and wept bitterly. They have five children.

But Speer was not without funds. He went to his bank in company with the detective, and there drew a certified check for \$1,000. As he left, the cashier told him to call on him, and he went to the bank, where he needed it. Lawyers and others pressed forward to offer aid, and a judge who was then presiding at a murder trial ordered a recess for five minutes, and talked with the young man about his case. He had no legal friends.

Heard on Bond. Officer and prisoner arrived here Thursday morning, and at once went before Judge Witt, where Speer was bailed in the sum of \$10,000. He was represented by Harry M. Smith, Jr., and by J. M. Hurt, of Petersburg, the latter going with his client, and immediately began to secure the arrest of Grear, and, after Commonwealth's Attorney Polkes, Chief Wermer and Captain McMahon had held a conference at 9 o'clock Thursday night as to what was best to be done, Walter Christian, a local attorney, was called, and the indictment, drawn up and in apparent order, was handed over to Captain McMahon, who went at once to Governor Mann to ask for requisition papers.

Colonel B. O. James, Secretary of the Commonwealth, was called, and after a conference of fifteen minutes, it was decided by Governor Mann that he could not issue requisition papers as the matter was then presented to him. The necessary papers were procured before 12 o'clock yesterday, and at 2 o'clock Sergeant Willey left for Olive Hill, Ky., to see the Governor of that State and get his signature to the requisition. Speer left for his home immediately after being bailed. Forgery is Charged. The case is one of unusual interest, and the officers of the Commonwealth are very anxious to see that the guilty men are arrested. According to the indictment, Grear is charged with forgery, though there is a difference of opinion as to whether his alleged act really constitutes forgery, and Speer is charged with conspiracy, fraud and likewise with practicing without a properly certified license, in that, though it was issued in his name, the examination was passed by another. Nice points of law will be brought out when the case comes to trial, and it will be interesting to both sides. The examination which was held in June of last year was presided over by Drs. H. W. Campbell, A. Colvin, R. C. Lewis, B. Bridgeforth, W. M. Sturgis and J. P. Stiff. The witnesses summoned in the case are: Dr. H. W. Campbell, Dr. J. P. Stiff, Dr. G. W. Hottel and Dr. A. Hottel. Grear Under Surveillance. A telegram was sent to Olive Hill, Ky., on Thursday, asking that Grear be held as a suspicious character. The return message was that he was being (Continued on Second Page).

## ARMY OFFICER ENDS LIFE

Major-General Wallace F. Randolph, Retired, a Suicide. Washington, December 9.—Surrendering, it is believed, to a fit of despondency, caused by protracted illness, Major-General Wallace F. Randolph, U. S. A., retired, a veteran of the Civil and Spanish Wars and former chief of artillery, shot and killed himself to-day in the bath room of his home here. The revolver bullet penetrated the brain and death was instantaneous. General Randolph was a native of Pennsylvania, and by his conspicuous service with the volunteers from that State during the Civil War won his first commission in the regular army. He was married and had two daughters. General Randolph was sixty-nine years of age.

## NEW ISSUE OF CANAL BONDS

Design Is to End Drain Upon Working Balance of Treasury. Washington, D. C., December 9.—Machinery was set in motion to-day to provide for an issue of Panama Canal bonds with a design to end a drain upon the working balance of the treasury, which now threatens a deficit. Secretary of the Treasury MacVeagh had a long conference on the subject with Senator Aldrich, chairman of the Senate Committee on Finance. It appears that several complications have arisen, and that further legislation would be necessary if the proposed new securities are to find a market without depressing the upward of seven hundred million 2 per cent. bonds now outstanding. Epitomized, the situation is this: Under the authorization of the issue of \$22,000,000 additional Panama bonds it was provided that they might bear 3 per cent. interest. Most of the Government securities now outstanding are 2 per cent. bonds. In order to equalize the two classes of bonds, when used for bank circulation, it was provided that the 3 per cent. bonds should be taxed at the rate of one-half of 1 per cent. paid by the 2 per cent. bonds, when so used.

## ANNUAL BILL URGED

Should Carry \$50,000,000 for Rivers and Harbors. Washington, D. C., December 9.—With the adoption of resolutions clearly outlining its attitude on the improvement of waterways, and the reclamation of swamp lands, the House of Representatives today adopted its annual convention, which has been characterized from start to finish by complete harmony. The resolution, which is the work of President Taft, and the annual appropriation of \$50,000,000 for Congress for the improvement of waterways, and the reclamation of swamp lands, where possible, otherwise by the issuance and sale of bonds. It is declared, however, that the Congress should issue only for permanent improvements, and that the amount of any issue shall be limited to the requirements of the year of issue.

## VIRGINIAN WILL BE NAMED

Nomination to Federal Position to Be Made Next Week. [Special to The Times-Dispatch.] Washington, D. C., December 9.—Representative Democrat, Hugh H. Martin, national committeeman for Virginia, called on the President to-day regarding certain appointments which he is believed will be made. Martin, after leaving the White House, stated to the Times-Dispatch correspondent that the nomination of a prominent Virginian to a Federal position would probably be announced next week. He and Mr. Slomp are, at present, in the city, and though nothing further could be learned concerning the matter, it is understood that the appointee will accompany him to see the President at that time. Mr. Slomp was equally as reticent about the matter, and aside from the statement just made, they had nothing to say, except that they expected to land a Virginian in a good position. P. H. McG.

## PETITION OF EMPLOYES

Protest Against Reduction of Charges Allowed A. C. L. for Transportation. [Special to The Times-Dispatch.] Washington, D. C., December 9.—In the interest of 2,000 employees of the Atlantic Coast Line Railroad, who protested against a reduction of charges allowed that road for transportation, the department of Justice to-day filed a petition in the House for the employees. It is set forth that whenever there is a lowering of rates for the transportation of freight, there is a corresponding decrease in wages of its employees, and that if this is not done, then the effect of such lowering of rates is to reduce the wages of the inferior service, which in turn makes transportation more dangerous. The petition will be considered by the House committee on the roads to-day.

## GOVERNMENT NOT SATISFIED

Will Carry Coal Trust Case to United States Supreme Court. Washington, D. C., December 9.—The government of the United States, which has been carrying on a long fight against the coal trust, today announced that it would carry the case to the United States Supreme Court, according to a statement issued by the department of Justice. The statement points out that the department is not satisfied with the partial victory in the United States Circuit Court at Philadelphia, which held the Temple Iron Company, which is an illegal combination in restraint of trade, and as soon as the judgment is entered, it entered the government's appeal to the Supreme Court so much of the judgment as is in favor of the defendants.

## RIOTS IN CALCUTTA

Hindus Object to Sacrifice of "Sacred Cows" by Mohammedans. Calcutta, December 9.—One hundred and fifty persons were injured during riots here to-night. The trouble grew out of the strong feeling between Hindus and Mohammedans, brought about by the intention of the latter to sacrifice cows at the coming Moharram festival. The Hindus regard the cow as sacred, and endeavored to get the police to interfere and stop the proposed sacrifice. The police, however, declined to do so, and the trouble followed.

# CHARLTON WILL BE TRIED IN ITALY

State Department Grants Request for His Surrender.

## CHARGED WITH KILLING WIFE

Question of Prisoner's Insanity Is One for Courts to Determine—Secretary Knox Takes Broad Ground in His Opinion Setting Forth Responsibility of Nation.

Washington, D. C., December 9.—Secretary Knox to-day granted the request of Italy for the surrender of Porter Charlton, charged with the murder of his wife at Lake Como. The secretary holds the fact that Italy refuses to surrender her citizens to the United States for trial does not relieve this country from the obligation of the extradition treaty, to surrender to Italy fugitives from justice from that country. The question of the insanity of Charlton, it is suggested, is one for the courts and not for the department to determine.

Had Secretary Knox refrained from acting upon this case for six days, Porter Charlton would have been a free man, as the statutes require final action in the case within sixty days from the date of his commitment. The secretary takes broad ground in his opinion, holding that the mere fact that the Italian government declines to surrender its own citizens does not solve the United States from full responsibility under the extradition treaty, and in no way acts to abrogate that treaty. The legal contention of counsel for the accused on that point and the other side of the Italian demand for Charlton's surrender had not been made in strict accordance with the requirements of the treaty are swept away by the secretary as without basis, and the committing magistrate's proceedings are found to have been regular in all respects.

## Recourse to Court.

A closing remark by the secretary is of deep significance, carrying the plain intimation that Charlton's attorney may have further recourse to the courts if they are disposed to raise the question of insanity. The decision relates the history of the case, beginning with the arrest of Charlton in New York on June 24 last, on complaint of the Italian vice-consul, and the demand for the extradition of Charlton, under and pursuant to the terms of the extradition treaty between the United States and Italy. The decision signed by Secretary Knox, "was made upon this government's demand for the extradition of Charlton, under and pursuant to the terms of the extradition treaty between the United States and Italy, July 28 (received by the department July 30), that is, within the forty-day period for this purpose in the treaty. Later Charlton was taken before an extradition magistrate, who, after a formal hearing, reported by treaty statute, committed him on October 14, for surrender to the Italian government.

"The committing magistrate's record, as transmitted to the department, discloses no material irregularity in the proceedings, and a case calling for the surrender of the accused under the treaty terms is made out, unless such surrender is to be defeated by objections raised by counsel for the accused. These objections are in their order:

"First, that the Secretary of State should decline to surrender the accused, and the President should direct his discharge, because the record of the committing magistrate, as transmitted to the department, does not contain the formal demand of the Italian government for the surrender of the fugitive or show that such demand was made within the treaty period; and the department may not, in passing upon the question, take into consideration the fact that the demand has been made within the proper time and that it is in the department's files, forming a part of the department's record of the case, since the department may not, in passing upon the question, take into consideration any evidence not before the committing magistrate."

Secretary Knox, after discussing the objection, concludes that "the first objection raised by counsel for the accused in this case is without merit and of no effect in defeating extradition." Secretary Knox then quotes the second objection raised by counsel for the defense, as follows: "The second objection is that Charlton should not be surrendered because under the treaty providing that each government shall surrender persons fugitive from the one and found in the other, Italy refused to surrender to the United States for trial and punishment Italian subjects who were fugitives from the justice of the United States, therefore the United States is released from any obligation to surrender its citizens fugitives from Italy; and since the executive may not surrender fugitives to another government, except pursuant to some positive treaty obligation or congressional act, here existing, there is no authority in the executive to surrender Charlton, and he must therefore be discharged. "This contention," the secretary concludes, "like the first, is without merit in this case."

Continuing, the secretary says: "The question is now for the first time as to whether or not the United States is under obligation, under the treaty, to surrender to Italy for trial and punishment citizens of the United States, fugitives from the justice of Italy, placed upon the treaty by Italy, with reference to Italian subjects." On this point Secretary Knox concludes: "Since extradition treaties could not be reciprocal, even in the matter of the surrendering of citizens, there seem entirely sound, to consider ourselves as bound to surrender our citizens to Italy, even though Italy should not, by reason of the provisions of her municipal law, be able to surrender its citizens to us." Concerning the question of Charlton's insanity, the secretary says: (Continued on Second Page).

# KENTUCKY STARTS BOOM FOR CLARK

First State Delegation to Indorse Him for Speakership.

## NO OPPOSITION TO CANDIDACY

Friends of Missouri Congressman Declare His Election Is Assured—President Considering Supreme Court Appointments—Probable Business.

Washington, D. C., December 9.—The first state delegation boom for Champ Clark, of Missouri, the present minority leader, for the speakership of the next Congress, was launched to-day, when the Kentucky Democrats formally indorsed him for the office. Friends of Mr. Clark say that his election to the speakership of the next House is assured, and that there is no other candidate in the field, and no real opposition. They say that Mr. Clark has already received positive pledges from 175 Democratic representatives and pledges more or less equivocal from twenty-five others, and that of the remaining Democrats in the total of 227 in the next Democratic Congress, virtually all of them are expected to rally to Clark. Mr. Clark presided at to-day's meeting of the Kentucky delegation, and the others present were Stanley, Thomas, Johnson and Cantrell, with proxies from two of the others, and one member unheard from, Messrs. Sherry and Lamm. Mr. Clark, an active candidate for the chairmanship of the Appropriations Committee, remained away from the meeting. The delegation indorsing Clark for Speaker, and former Congressman South Trimble for clerk of the House, adopted the following resolution:

## Indorsement of Clark.

"Whereas, the Hon. Champ Clark, by virtue of his long experience as a representative of the people, by his distinguished services as leader of the minority, by his able and attractive defense of the principles of his party, by his fact, his patience, his consummate knowledge of human nature, rare courage and conservatism, has done much to bring about perfect union in his party, which is in such striking contrast at the present time with the confusion and disorganization of our political opponents, we are firmly convinced that he is in every way eminently suited for the high and responsible position of Speaker of the House of Representatives in the Sixty-second Congress; therefore, be it

"Resolved, That we indorse the Hon. Champ Clark for the position of Speaker in the Sixty-second Congress, and agree to use our honorable means to secure his election."

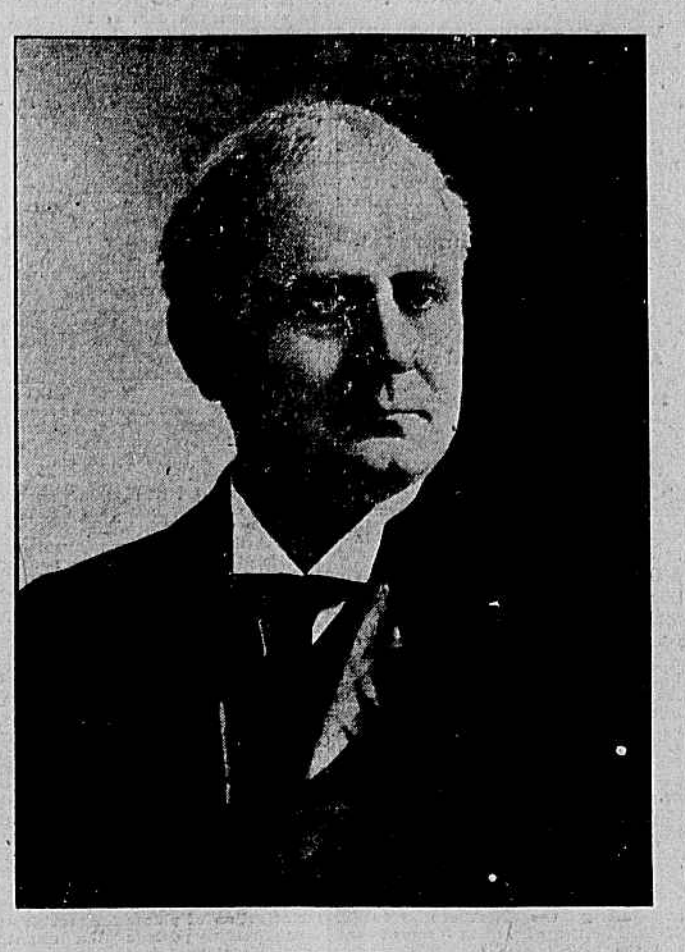
## Supreme Court Appointments.

Every indication to-day points to the following Supreme Court nominations by President Taft early next week: Chief Justice, Charles E. Hughes, of New York. Associate Justice, Francis J. Swayze, Justice of the Supreme Court of New Jersey. Associate Justice, Gordon Russell, now a Federal district judge in Texas. It is positively known that the list from which the President will make the final selections for associate justices has narrowed down to eight men. These are Justice Swayze, of New Jersey; Judge Russell, of Texas; former Justice Lamar, of the Supreme Court of Georgia; Judges Hook and Vandewater, of the Eighth Judicial Circuit; Judge Pollock, of the District Court of Kansas; Chief Justice John B. Winslow, of the Supreme Court of Wisconsin, and Senator Sutherland, of Utah.

In a conference with Senators Cummins and Borah, of the insurgent forces of the Senate, the president made known his final list. He also made the fact known to other callers. The eight men considered. Of the eight men two are Democrats—Russell and Lamar—while the other six are Republicans. Of the six Republicans, four are in the great industrial part in the decision in the Standard Oil case, and are supposed to be acceptable to insurgent Republicans; Senator Sutherland might also be acceptable, though he has not often supported any of the plans of this faction of the Senate; the other three Republicans—Swayze, Pollock and Winslow—are not at the top of the insurgent list. Chief Justice Winslow, of the Supreme Court of Wisconsin, is highly urged by Ex-Senator Spooner and by many others, not because he has corporation leanings, it is said, but because he is a great judge. It was to talk about Justice Winslow that the President invited Senator La Follette to the White House and got a letter from the Wisconsin Senator.

Of the six Republicans on the list it is pretty certain that the President has again decided that it would not be wise to name any of the circuit judges participating in the Standard Oil case. This would eliminate Judges Hook and Vandewater, leaving Swayze, Sutherland, Pollock and Winslow from whom to name a Republican. Possibly Sutherland, Not Swayze. If the President should conclude that he will name a Western Republican instead of one from the East, the chances favor Sutherland as the nominee, along with Russell, of Texas. Under the practice of the Senate, Sutherland would be confirmed without debate. Next to Sutherland, Judge Pollock would be the choice, although there is opposition to him by Senator Bristow, Governor Stubbs and the insurgents generally. Governor Stubbs started for Washington a few days ago to take a hand in the fight. He was advised to return to Topeka, which he did. Senators Bailey and Culberson, of Texas, were at the White House to-day conferring with the President about the Supreme Court appointments.

## Indorsed by Kentucky



CHAMP CLARK, of Missouri, Democratic candidate to succeed Speaker Cannon.

# PERKINS RETIRES FROM MORGAN CO.

Will Devote More Time to Work of a Public Nature.

## INTERESTED IN PROBLEMS DAY'S ELECTION RESULTS

Seeks to Solve Conflict Between Capital and Labor.

New York, December 9.—George W. Perkins announced to-day his retirement on January 1 next from the firm of J. Pierpont Morgan & Co. to devote his time to extending the principles of profit sharing and other benefit plans for solving the conflict between capital and labor. It is announced by J. P. Morgan & Co. that Edward F. Whitney also will retire on January 1 and that William H. Porter, president of the Chemical National Bank, and Thomas W. Lamont, vice-president of the First National Bank, will become partners in the firm. In his announcement Mr. Perkins says he is withdrawing to devote more time to corporation work and work of a public nature in which he is deeply interested.

"In continuing my relations with the industrial and other business organizations with which I am connected," Mr. Perkins says, "I hope to find further opportunities for extending the principles of profit sharing and other benefit plans, which, experience has shown, offer a practical solution of some of the difficulties existing between capital and labor."

## New Problems Face Country.

Mr. Perkins refers to the chance of the solution of the new problems facing the country, growing out of the great co-operative combination of capital, and he expresses the hope that his experience may enable him to contribute toward the adjustment of those matters "which seem to me to be of the largest consequence to the country." In recent years Mr. Perkins has represented the firm in the great industrial organizations in which they are interested, and the formal announcement of the firm indicates that his relations to those concerns will continue. In public addresses he has taken an advanced view of the relations of government to business and is deeply interested in government supervision over corporate affairs. He was the originator of the profit-sharing plan of the United States Steel Corporation and International Harvester Company, and desires to further adapt those methods to other organizations.

## ANOTHER BOY FOUND

Police Think Chase Had Grown Too Hot for Kidnappers. New York, December 9.—Another kidnapped boy was recovered to-day. The detective bureau's prediction that he would be turned loose on the streets some time to-day, has been fulfilled. The boy, six years old, is Michael Rizzo, six years old, at last made a beginning at uprooting the blackmailers and terrorists, who have held respectable Italians of the city for years. No arrests were made to-night, but eleven prisoners taken yesterday and last night were held in \$10,000 bail each, to-day charged with kidnapping Giuseppe Longo. The police believe the same gang was at work in both cases. Although Giuseppe is the first captive child held for ransom, ever taken by the police, Michael makes the fourth returned to his parents within the week. The chase had grown too hot, and the police believe they have at last made a beginning at uprooting the blackmailers and terrorists, who have held respectable Italians of the city for years. No arrests were made to-night, but eleven prisoners taken yesterday and last night were held in \$10,000 bail each, to-day charged with kidnapping Giuseppe Longo. The police believe the same gang was at work in both cases.

## TALKS TO SHOPPERS

"Don't put off till to-morrow what you can do to-day," and purchasing now will enable you to get the best of service and the choice of goods.

# LYNCHBURG 'WETS' WIN BY 85 VOTES

City, Dry for Two Years, Returns to Open Saloons.

## ELECTION WILL BE CONTESTED

This Will Probably Serve to Delay Opening of Drink Establishments—Vote Is Largest in Years, but Is Orderly, and Workers Show Good Spirit at Polls.

[Special to The Times-Dispatch.] Lynchburg, Va., December 9.—After having been no-license territory since March, 1909, Lynchburg to-day voted to return to the open saloon, the majority being eighty-five votes in a total vote counted of 2,653. The result came as a surprise to the leaders of the Anti-Saloon League, who were confident of victory until they failed to secure half the majority they expected in the First Precinct of the First Ward. The "wets" generally entered the fight with a feeling of doubt, but their hopes began to rise early in the afternoon, and by the time the polls closed at 5 o'clock they were sanguine of victory.

The result hinged on the Second Precinct of the Second Ward, for all of the precincts were returned an hour unofficially before this one came. Up to that the "drys" had a majority of twenty-three. No one expected to see such a vote as that which turned the tide and gave the "wets" the hardest fought battle seen in Lynchburg for many a year. The vote was the largest here for years, and it is now apparent that the "wets" won their victory months ago, for victory came to them in the payment of the capitation taxes last June and the registration in October. Here the canvass by the "drys" during the campaign showed, was the Waterloo of the no-license advocates, for they found they had failed to qualify more than 400 men who could have voted. Had they been as alert as the "wets" were in the premises.

A statement was given out at the Anti-Saloon League headquarters, when defeat seemed certain, that the result would be a tie, and a contest which would be held within the required ten days. The principal ground for such a contest, it is said, will be in the failure of all but one of the registrars to require a written application for registration, as seems to be provided for by statute. This contest will probably operate to prevent the opening of the saloons for some time. The result came as a surprise and a distinct shock to the "drys," and few of the "wets" were prepared for the reversal. Two years ago, in a vote of 1,951, the city voted "dry" by a majority of 191. This was contested by the "wets," but was decided against them, and the saloons closed March 6, 1909.

It cannot be stated, of course, when the election was held, that the election was orderly, and a good spirit was seen at the polls among the workers. The only incident of note during the day was the issuance of a warrant for the arrest of a negro, who is alleged to have been in the city for some time and who voted in the First Ward.

## NO LAND FOR ROOSEVELT

Former Admirer Changes Mind and Makes Coddell to Will. South Bend, Ind., December 9.—Theodore Roosevelt, who had been given 900 acres of valuable timber land by a former admirer, whose will was probated in South Bend to-day, but this man, who had been a close friend of his mind, and in a codicil, he bequeaths the entire property to his brother. Charles W. Hall, who died at Benton Harbor, Mich., a year ago, left an estate worth between \$100,000 and \$200,000. His will was probated here to-day, as follows: "To Colonel Theodore Roosevelt, of Washington, D. C., I give and bequeath 900 acres of timber land, located on Brimstone Creek, in Scott County, Tennessee, to have to hold during his natural life."

The original will bears the date of October 6, 1908, but the testator, following the presidential election that year, expressed a change of mind, and on December 23 he made a codicil, taking back the bequest to Mr. Roosevelt, and giving it to his brother. The codicil does not reveal the testator's motive in making it.

## BURKE MAKES CHARGES

Asserts Irregularity in Connection With Allotment of Indian Lands. Washington, December 9.—Charges of irregularity in connection with the allotment of certain Indian lands in Oklahoma were made in the House of Representatives to-day in connection with the discussion and passage of the Indian appropriation bill. The charges were made by Chairman Burke, of the Indian Affairs Committee, who that misrepresentation to the committee at the last session by certain members of the House, and the irregular passage of the act for the enrollment in the Kiowa tribe of Indians and the allotment of 100 acres of land to James F. Rowell, which he was unable to take. The bill as finally passed carried appropriations of \$8,277,885, which was \$37,000 more than recommended by the committee in the bill as presented.

## SHIPWRECKED CREW ABOARD

French Bark Rescues Sailors of Barge Destroyed at Sea. Campbell, N. Y., December 9.—The French bark Elizabeth, from New York for Glasgow, arrived in the harbor to-day with a shipwrecked crew on board. The rescued sailors are believed to be from the barge Baroness, which was sunk by another vessel ten miles south of Fire Island Light, Nov. 19, 1929. The Baroness was the stern barge of a steamer's tow, and was reported November 11 as having been run down and sunk by an unknown steamer. It was thought at the time that the colliding steamer was the Elizabeth.